

REMARKS

Claims 1-9, 11-23, and 25-31 are pending after the amendments.

It is respectfully submitted that the previous dependent Claims 10 and 24 were patentable, and these claims have been merged into their base Claims 1 and 20, respectively. Accordingly, only the rejections of the Claims 10 and 24 are at issue. Since no new issues are being raised by the amendments, it is requested that the amendments be entered and the below arguments for patentability be considered. The art relied upon for the rejection has not been cited before in this case.

The examiner rejected Claims 10 and 24, now Claims 1 and 20, as being obvious over Visocnik (US Pub. 2004/0048646 in view of Rodgers (US 7,090,580).

In Applicant's inventions of independent Claims 1 and 20, an array of symbols is randomly generated in a first game, where the array of symbols includes a special symbol in a first position in the array. The player then initiates a second game, immediately subsequent to the first game. The special symbol from the first game is then shifted to a second position in the array. After the shifting, randomly selected symbols in the second game are then displayed, with the special symbol remaining in the second position. An award is then based on the resulting combinations of symbols, including the special symbol. The special symbol is terminated after the special symbol is used in a winning combination of symbols.

Visocnik describes an embodiment of a bonus game in a slot machine, where a mouse symbol (a special symbol) acts like a wild card (Figs. 2-7). The bonus games are a plurality of free games (para. 0013). The mouse symbol either overlays or underlays another symbol in the array and acts like a wild card to create winning combinations of symbols. The mouse symbol automatically appears in the first free game (paras. 0013, 0021). The mouse symbol is not a symbol on the reels since it appears irrespective of the positions of the reels. After the first game, the mouse automatically moves to another symbol position and then substitutes for the symbol in that position during the next game (paras. 0013-0014). This process continues until the free games are over. Normally, the mouse would be involved in a number of

winning combinations by the end of the multiple bonus free games. The mouse is not extinguished until the end of the free game round.

The examiner agrees that the Visocnik mouse (a special symbol) terminates only after the free games are over. (See page 6 of office action.)

Importantly, it would make no sense for the mouse to disappear after being involved in a winning combination of symbols, since the Visocnik invention is intended to utilize the mouse feature for each of the free games. The mouse is automatically introduced into the array at the beginning of the free game session to add excitement, so it would be rather depressing for the player to immediately win a mediocre award on the first free game and have the mouse disappear for the remainder of the free games. The mouse moves and stays in the array after each free game, whether the player wins or not, to increase the chances that the player will win for each free game. Without the mouse, the free games would be ordinary.

Rodgers was cited for teaching a slot machine game where a reel that displays a wild symbol across a pay line is held for multiple spins of the other reels until the wild symbol is used in a winning combination. (See Abstract.)

It is respectfully submitted that there is no suggestion or motivation to combine Visocnik and Rodgers to make Visocnik's mouse disappear after being used in a winning combination, since the mouse is expressly intended to be used in all the free games to make the free games special. Further, Rodgers basically has no choice but to free up the wild symbol reel after the wild symbol is used; otherwise, the player will eventually accumulate wild symbols on all the reels.

In summary, it is respectfully submitted to be impermissible hindsight to terminate Visocnik's special symbol after it is used in a win since this would destroy the functionality of the Visocnik invention.

Accordingly, all claims are respectfully submitted to be allowable.

If the examiner has any questions or would like further clarification of the claims, the examiner is requested to call Applicant's attorney at 408-382-0480 x202.

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Respectfully submitted,

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